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67,108-322 PUS1  
Rai 4-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rai, Vikram  
Serial Number: 10/717,065  
Filed: 11/19/2003  
Group Art Unit: 2617  
Examiner: Cho, Un C.  
Title: METHOD AND APPARATUS FOR SCHEDULING  
FORWARD DATA BURSTS IN WIRELESS NETWORK

RESPONSE

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action mailed on February 2, 2007. Applicant respectfully requests reconsideration of this application.

Applicant respectfully traverses the rejections under 35 U.S.C. §102 and §103 based upon the *Lee, et al.* reference (Published U.S. Application 2001/0021180). The Examiner interprets paragraph 0048 on page 3 as teaching providing at least one permanent virtual pipe on a high speed forward channel for transmission of data bursts. Applicant respectfully disagrees because paragraph 0048 of the *Lee, et al.* reference says nothing about provisioning a permanent virtual pipe. The FCH and DCCH of *Lee, et al.* "are maintained even when there is no data exchange between the mobile station and the base station system." Those channels, however, are not high-speed forward channels for data bursts. Instead, they are "chiefly used for transmitting and receiving the signaling message."

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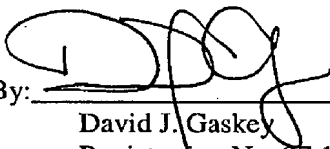
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What the *Lee, et al.* reference does teach about the SCH (the supplemental channel, which is used for high-speed data communications) is that "when there is no traffic to transmit and receive, the base station system and the mobile station exchange signaling messages for releasing the assigned channel over the FCH and the DCCH, and then, release the assigned SCH." In other words, *Lee, et al.* teaches that the SCH does not have a permanent virtual pipe. Instead, the channel is assigned and released on an as-needed basis. There is nothing in the *Lee, et al.* reference that suggests in any way that a permanent virtual pipe is established on the high-speed channel. Instead, the opposite appears to be what paragraph 0048 teaches because the SCH channel is only assigned when needed and then released as soon as possible after used by a mobile station.

Because the *Lee, et al.* reference does not teach what the Examiner contends, there is no anticipation and no *prima facie* case of obviousness. Applicant respectfully submits that this case is in condition for allowance.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

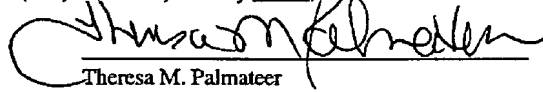
David J. Gaskey  
Registration No. 37,139  
400 W. Maple Rd., Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: May 2, 2007

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**CERTIFICATE OF FACSIMILE**

I hereby certify that this Response, relative to Application Serial No. 10/717,065 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on May 2, 2007

  
Theresa M. Palmateer

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